

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		:	
NOEL MARTINEZ,		:	
	Movant,	:	21-CV-10445 (LTS)
		:	
-v-		:	
UNITED STATES OF AMERICA,		:	
	Respondent.	:	
-----X		:	
UNITED STATES OF AMERICA,		:	
		:	18-CR-319-8 (LTS)
-v-		:	
NOEL MARTINEZ,		:	ORDER TO ANSWER
		:	28 U.S.C. § 2255
	Defendant.	:	
-----X		:	

Laura Taylor Swain, Chief United States District Judge:

The Court, having concluded that the motion brought under 28 U.S.C. § 2255 should not be summarily dismissed as being without merit, hereby ORDERS that:

The Clerk of Court shall electronically notify the Criminal Division of the U.S. Attorney's Office for the Southern District of New York that this order has been issued.

Within sixty days of the date of this order, Mr. Martinez's appointed counsel is directed to file an amended section 2255 motion setting forth all his grounds for relief and any supporting facts.

Within sixty days of the date of Mr. Martinez's amended section 2255 motion, the U.S. Attorney's Office shall file an answer or other pleadings in response to the motion.

Movant shall have thirty days from the date on which Movant is served with Respondent's answer to file a reply. Absent further order, the motion will be considered fully submitted as of that date.

All further papers filed or submitted for filing must include the criminal docket number and will be docketed in the criminal case.

Chambers will mail a copy of this Order to Mr. Martinez.

SO ORDERED.

Dated: New York, New York
December 8, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge

Copy mailed to:

Noel Martinez
Reg. No. 86111-054
USP Canaan
U.S. Penitentiary
P.O. Box 300
Waymart, PA 18472